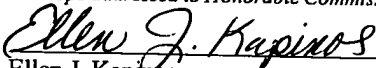


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Ellen J. Kapinos

GI 5202D-DIV2
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Celeste *et al.*
Serial No. : TBD Examiner: TBD
Filed : Herewith Art Unit: TBD
For : TENDON-INDUCING COMPOSITIONS

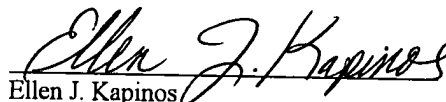
August 31, 2001

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Declaration Pursuant to 37 CFR §1.821(e) through (g)

Pursuant to the requirements of 37 CFR §1.821, *et seq.*, the undersigned attorney for Applicants hereby states to the best of her knowledge and belief, the content of the Sequence Listing as amended by the Preliminary Amendment and the computer readable copy of the Sequence Listing being transferred from parent application USSN 08/808,324 are the same and do not include new matter.

Respectfully submitted,


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GI 5202-D

DECLARATION and POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TENDON-INDUCING COMPOSITIONS

the specification of which
(check one)

is attached hereto.

X was filed on December 22, 1994 as
Application Serial No. 08/362,670
and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
_____	_____	_____	YES/NO
_____	_____	_____	YES/NO

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose

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material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
<u>08/164,103</u>	<u>December 7, 1993</u>	<u>Abandoned</u>
<u>08/217,780</u>	<u>March 25, 1994</u>	<u>Pending</u>
<u>08/333,576</u>	<u>November 2, 1994</u>	<u>Pending</u>

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature Anthony J. Celeste

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FBI/DOJ 28754660

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